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**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

BRIAN BURKINSHAW
LANCE TERRILL

Serial No.: 10/697,068

Filed: October 30, 2003

For: DEVICE FOR PERFORMING
AUTOMATED MICROFRACTURE

Group Art Unit: 3732

Examiner: Unknown

Att'y Docket: 2108.000400

Customer No.: 23720

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

May 21, 2004
Date

Mary Paul
Signature

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

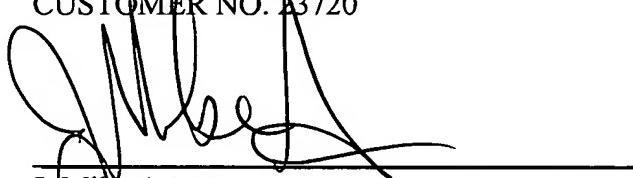
In accordance with 37 C.F.R §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Director is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/2108.000400.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

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Form PTO-1449 (modified)		Atty. Docket No. 2108.000400	Serial No. 10/697,068
List of Patents and Publications for Applicant's <small>O I P E S</small> <small>INFORMATION DISCLOSURE STATEMENT</small> <small>MAY 24 2004</small> <small>(Use several sheets if necessary)</small>		Applicant Brian Burkinshaw and Lance Terrill	
U.S. Patent Documents <i>See Page 1</i>		Filing Date: October 30, 2003	Group: 3732
		Other Art <i>See Page 1</i>	

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1						
	A2						
	A3						
	A4						
	A5						

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1						
	B2						
	B3						

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Sulzer Orthopedics/Joint Care/Fracture Care, Microfracturing Instrumentation Product Information and Operative Technique brochure, Sulzer Medica, 12 pages, 2001
	C2	Swiss OrthoClast brochure, Electro Medical Systems, 4 pages
	C3	Accu-Jack Automated Osteotome System for Removal of Cement or Fixated Prostheses brochure, Saturn Orthopedics, 2 pages
	C4	Arthrex Chondro Picks from 1998/99 Product Catalog, 3 pages

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.